

REMARKS/ARGUMENTS

Reconsideration and withdrawal of the rejections of the application are respectfully requested in view of the amendments and remarks herewith, which place the application into condition for allowance. The present amendment is being made to facilitate prosecution of the application.

I. STATUS OF THE CLAIMS AND FORMAL MATTERS

Claims 1-5, 7-24 and 26-34 are pending in this application. Claims 1, 2, 14, 16, 21 and 32-34 are independent. Claims 1, 2, 7, 8, 14, 16, 21, 26, 27 and 32-34 are hereby amended in this response. Claims 6 and 25 have been cancelled. Changes to claims are not made for the purpose of patentability within the meaning of 35 U.S.C. §101, §102, §103, or §112. Rather, these changes are made simply for clarification and to round out the scope of protection to which Applicants are entitled.

II. REJECTIONS UNDER 35 U.S.C. § 101

Claims 33 and 34 were rejected under 35 U.S.C. §101 as directed to non-statutory subject matter. These claims have been amended, thereby obviating this rejection.

III. REJECTIONS UNDER 35 U.S.C. § 102(b)

Claims 1-34 were rejected under 35 U.S.C. §102(b) as allegedly anticipated by U.S. Publication No. 2002/0152082 to Harradine (hereinafter merely, "Harradine").

Independent claim 1 recites, *inter alia*:

"A content editing assistance system comprising ...

an editor for editing the electronic-mark-list data, wherein, when special content data representing special content is included in the content data, the mark generator generates electronic mark data relating to the special content data." (Emphasis added)

Harradine relates to an audio/video reproducing apparatus connected to a communications network for selectively reproducing items of audio/video material from a recording medium in response to a request received via the communications network. The audio/video reproducing apparatus includes a control processor operable in use to receive data representing the request for the audio/video material item via the communications network. A reproducing processor is operable in response to signals identifying the audio/video material items from the control processor to reproduce the audio/video material items. The data identifying the audio/video material items includes meta data indicative of the audio/video material items. The meta data may be one of UMID, tape ID and time codes, and a Unique Material Identifier the material items. To facilitate the identification and selection of the audio and/or video material, an audio and/or video processing apparatus is provided for processing audio and/or video signals representing sound and/or images.

Applicants submit that Harradine, however, does not teach or suggest the above identified feature of claim 1. Specifically Harradine does not disclose or suggest a content editing assistance system comprising an editor for editing the electronic-mark-list data, wherein, when special content data representing special content is included in the content data, the mark generator generates electronic mark data relating to the special content data, as recited in independent claim 1.

For at least the foregoing reasons Applicants submit that claim 1 is patentable over Harradine, and therefore should be allowed.

Since independent claims 2, 14, 16, 21 and 32-34 are similar or somewhat similar in scope to claim 1, they are also allowable.

IV. DEPENDENT CLAIMS

The other claims in this application are each dependent from one or another of the independent claims discussed above and are therefore believed patentable for the same reasons.

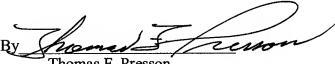
CONCLUSION

In view of the foregoing amendments and remarks, all of the claims in this application are patentable and Applicants respectfully request early passage to issue of the present application.

Please charge any additional fees that may be needed, and credit any overpayment, to our Deposit Account No. 50-0320.

Respectfully submitted,

FROMMER LAWRENCE & HAUG LLP
Attorneys for Applicants

By 
Thomas F. Presson
Reg. No. 41,442
(212) 588-0800